



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,556	01/25/2001	Mark J. Kraffert	MICE-0099-US (00.02703)	4879

7590 07/09/2004

Dan C. Hu  
TROP, PRUNER & HU, P.C.  
8554 Katy Freeway, Suite 100  
Houston, TX 77024

EXAMINER

KHATRI, ANIL

ART UNIT	PAPER NUMBER
2124	9

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/769,556

Applicant(s)

KRAFFERT, MARK J.

Examiner

Anil Khatri

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by *Parker et al*

USPN 5,781,720.

Regarding claims 1, 13, 20 and 21

*Parker et al teaches,*

- a display to display the output as a bitmap (see figures 2, 4 and 15, column 2, lines 58, “GUI environment hold...”);
- a test routine (see figures 13-15),
- a capture routine invocable by the test routine to extract data from a predefined region of the bitmap (column 3, lines 12-31, “ bitmap validation is...application testers”),
- the test routine adapted to receive the extracted data to perform a test procedure (column 28, lines 30-36, “to enables cross platform testing... code itself”).

Regarding claims 2 and 14

*Parker et al teaches,*

- extracted data with a predetermined string (column 27, lines 56-65, “query a text field... validation database”).

Regarding claims 3, 4, 15, 16, 22 and 23

*Parker et al teaches,*

Art Unit: 2124

- a communication client adapted to communicate with the system (column 33, lines 38-45, “inter process communication... 3 GUI”).

Regarding claims 5, 6, 18 and 19

*Parker et al teaches,*

- the bitmap comprises an array of pixels, and wherein the predefined region comprises a rectangular region (column 28, lines 53-65, “bitmap difference... considered significant”).

Regarding claims 7-9

*Parker et al teaches,*

- the output comprises a table having a first column of fields and a second column of fields (column 29, lines 35-59, “suppose that two tables... columns in the table”).

Regarding claims 10 and 17

*Parker et al teaches,*

- test routine is adapted to refresh the bitmap to obtain an updated output of the software application (column 2, lines 22-45, “ validate software... button release 1”).

Regarding claim 11

*Parker et al teaches,*

- test routine is adapted to invoke the capture routine to extract the data and to perform the test procedure after each refresh (column 30, lines 7-14, “refers to any... and memory”).

Regarding claim 12

*Parker et al teaches,*

Art Unit: 2124

- test routine is adapted to repeat invoking the capture routine and performing the test procedure until a time-out occurs (see figures 3 and 5).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- USPN 6625598
- USPN 5669000

USPN 5410681 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 703-305-0282. The examiner can normally be reached on M-F 8:30-5:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

\*\*\*

  
ANIL KHATRI  
PRIMARY EXAMINER